

# **EXHIBIT “E”**

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF NEW YORK

ORIGINAL

3 -----X  
4 EDWARD REICHERTER

5 Plaintiff,

Index No.  
15-CV-03878

6 -against-

7 TOWN OF HEMPSTEAD

8 Defendants.  
9 -----X

10 Burkman Henock Peterson  
11 Peddy & Fenchel, P.C.  
12 100 Garden City Plaza  
Garden City, New York 11530

13 September 25, 2018  
14 11:10 a.m.

15 EXAMINATION BEFORE TRIAL of JOSEPH ALBERT  
16 BENTIVEGNA, a Defendant herein, taken by the Plaintiff,  
17 pursuant to Article 31 of the Civil Practice Law &  
18 Rules of Testimony, and Court Order, held at the  
19 above-mentioned time and place, before Joanna Martinez  
20 a Notary Public of the State of New York.

21  
22  
23 SANDY SAUNDERS REPORTING  
24 254 South Main Street, Suite 216  
New City, New York 10956  
25 (845) 634-7561

1 A I have not.

2 Q Okay. Thank you.

3 A So I guess I'm not that good at this.

4 MS. COSTELLO: That's okay.

5 Q Okay. Are you currently employed?

6 A No.

7 Q Okay. What was the last job that you  
8 held?

9 A Town of Hempstead Department Parks of  
10 Recreation Commissioner.

11 Q Okay. And when did you leave that  
12 position?

13 A Two years and nine months ago.

14 Q So two years and nine months ago, so  
15 that's going back two years. It's 2016?

16 A '16ish.

17 Q And then nine months -- let's figure this  
18 one out. So it was in 2016?

19 A I left -- I think it was January 1st or  
20 around there.

21 Q Okay.

22 A 2016, maybe a little before that.

23 Q Okay. And did you resign that position?

24 A I retired.

25 Q You retired. And how long were you in

1     that position as commissioner?

2             A     Twelve years, I believe.

3             Q     And before you were the commissioner did  
4     you have a prior job?

5             A     I was a deputy commissioner.

6             Q     With the town of Hempstead --

7             A     Town of Hempstead Parks Department.

8             MS. COSTELLO: Just wait until she  
9     finishes the question.

10            Q     And how long were you deputy commissioner?

11            A     That I'm not sure. It was -- let's see.  
12     Somewhere around 1999, I believe. Maybe a little  
13     earlier actually. It was definitely earlier. I  
14     don't really recall the date.

15            Q     Okay. And prior to become being deputy  
16     commissioner, did you have another job with the town  
17     of Hempstead?

18            A     Yes.

19            Q     And when was that?

20            A     I was a park's maintenance supervisor.

21            Q     And approximately do you know what years  
22     that was?

23            A     Again, you know it was a long time ago. I  
24     don't have the records in front of me but I don't  
25     remember.

1 Q Do you remember when that was?

2 A No.

3 Q If I told you August 27th, 2013 would that  
4 sound about right?

5 A It could be.

6 Q Okay. Did you have any involvement with  
7 his termination?

8 A His termination was handled by my  
9 deputies.

10 Q And who were your deputies?

11 A Mike Coppola, Raymond Ronon, and I'm  
12 pretty sure that John Adnvani was still there.

13 Q What year was that? 2013, August 27th?

14 A It's possible.

15 Q Do you have any knowledge of this prior to  
16 him actually being terminated?

17 A I knew that they were investigating a  
18 situation with Ed.

19 Q And what did you know about that?

20 A I don't really recall the details but I do  
21 believe that it was involved with him not staying at  
22 the facility that he was assigned to.

23 Q And what is the procedure for terminating  
24 an employee?

25 A Actually the deputies and the town

1 Q I understand.

2 A And not everyone of them were perfect, so  
3 there were a lot of issues that came across.

4 Q Okay. So getting back to the progressive  
5 discipline, do you know what the progressive  
6 discipline process was?

7 MS. COSTELLO: Objection.

8 You can answer.

9 A Written reprimand, suspension,  
10 termination.

11 Q Did you ever terminate anybody personally?

12 A Not to my knowledge.

13 Q Did you ever recommend anyone for  
14 termination?

15 A I don't recall ever recommending anyone  
16 for termination, to be honest with you. I'm trying  
17 to think. I don't remember anybody else who got  
18 terminated to my recollection.

19 Q During your entire career with the Town of  
20 Hempstead --

21 A People were terminated, I had nothing to  
22 do with it.

23 Q Right. But during your entire career with  
24 the Town of Hempstead you never had any involvement  
25 with the termination of any employee?